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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DAVID CARLETON, an individual,
Plaintiff,
v.
504 GAP, INC. DISABILITY PLANS and
THE GAP, INC., in its capacity as Plan
Administrator,
Defendants.

)
) Case No. CV 07-5924 (JSW)
)
) STIPULATION AND [Proposed]
) **ORDER RE ADR**
)
) Hon. Jeffrey S. White
) United States District Judge
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1 The parties jointly submit the following Stipulation and Proposed Order, and
2 respectfully present it for the Court's consideration and approval, removing this action from
3 referral to Alternative Dispute Resolution.

STIPULATION

5 The parties stipulate as follows.

6 1. The parties, by and through their respective counsel, have met and conferred regarding
7 the potential for settlement. The parties believe that further discussions will prove fruitful either
8 to resolve the case by agreement, or to determine that the case must be submitted to the Court for
9 trial and judgment. The parties believe, however, that the assistance of a neutral mediator is
10 unlikely to be significantly helpful in this relatively straightforward case..

11 2. Accordingly, the parties respectfully suggest that Mediation in this case would likely not
12 be an effective or efficient use of the Court's ADR resources. Therefore, the parties jointly
13 request that the Court remove this action from referral to Alternative Dispute Resolution under
14 the Court's ADR program.

GORDON & REES LLP

Date: May 14, 2008

By _____ /s/ by Ronald K. Alberts
Ronald K. Alberts
Attorneys for Defendants

BAUM & WEEMS

25 | Date: May 14, 2008

By _____
Julian M. Baum
Attorneys for Plaintiff
David Carleton

1 **DECLARATION RE CONCURRENCE OF SIGNATORIES**
2 **UNITED STATES DISTRICT COURT, N.D. CAL.**
3 **GENERAL ORDER 45**
4

5 The undersigned ECF filer hereby attests that concurrence in the filing of the
6 foregoing document has been obtained from each of the other signatories whose signature is
7 indicated by the notation “/s/ [name of signatory].”

8 I declare under penalty of perjury under the laws of the United States of America
9 that the foregoing is true and correct.

10 Dated: May 14, 2008

/s/ Julian M. Baum

11 Julian M. Baum

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15 **ORDER**

16 The parties having stipulated as set forth above,

17 **IT IS SO ORDERED.**

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19
20 DATED: MAY 15, 2008


21 _____
22 JEFFREY S. WHITE

23 UNITED STATES DISTRICT JUDGE
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